

REMARKS

The indication that claims 1 - 3 and 5 are allowed is acknowledged.

It is noted that the Examiner has objected to claims 1 and 5 with regard to the recitation of "ends of the cathode lines" with the Examiner apparently indicating that such language should be changed to distinguish a terminal end from another end of the cathode line. Based upon the suggestion by the Examiner, each of independent claims 1, 5 and 6 have been amended to recite the feature that the "cathode lines have terminal ends that are terminated outside the display region" and thereafter referring to "terminal ends of the cathode lines." Thus, applicants submit that claims 1 and 5 have been amended in a manner similar to that suggested by the Examiner, such that claims 1 - 3 and 5 should remain in condition for allowance.

Applicants note that by the present amendment, claim 6 has been amended in a similar manner to claims 1 and 5 to recite the feature that "the cathode lines have terminal ends that are terminated at positions outside the display region" and with regard to the previously recited feature of claim 6 of "the frame body is superposed on the cathode line ends" (emphasis added), in a manner similar to that suggested by the Examiner, claim 6 has been amended to recite the feature that "the frame body is superposed on the terminal ends of the cathode lines". Accordingly, applicants submit that this amendment of claim 6 corresponds to that suggested by the Examiner, and does not raise new issues requiring further search and/or consideration, and such amendment should be entered and given consideration at this time.

As to the rejection of claim 6 under 35 USC 102(b) as being anticipated by Tajima et al (US 2002/0021081), this rejection is traversed and reconsideration and withdrawal of the rejection are respectfully requested.

As to the requirements to support a rejection under 35 USC 102, reference is made to the decision of In re Robertson, 49 USPQ 2d 1949 (Fed. Cir. 1999), wherein the court pointed out that anticipation under 35 U.S.C. §102 requires that each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. As noted by the court, if the prior art reference does not expressly set forth a particular element of the claim, that reference still may anticipate if the element is "inherent" in its disclosure. To establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill." Moreover, the court pointed out that inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.

In applying Tajima et al to claim 6, the Examiner contends that Tajima et al discloses that the "cathode lines have extending ends that are terminated at positions outside the display region, and the frame body (4) is superposed on the cathode lines (see Fig. 1, Fig. 4 and paragraphs 121 and 134)". Applicants note, however, that the Examiner has mischaracterized the previous language of claim 6, which recited the feature of "the frame body is superposed on the cathode line ends" noting that the cathode line ends are those ends which are terminated at positions outside the display region. Referring to Figs. 11 and 12 of the drawings of this application, and as described at page 16, lines 3 - 5 of the specification, "the terminals 22 of the cathode lines 2 are made to extend below a frame body 90 which constitutes a sealing frame, and, the frame body 90 is superposed on the terminals 22" (emphasis added). Thus, the terminal ends of the cathode lines 2, as shown in

Figs. 11 and 12, and as represented by the terminals 22, have the frame body 90 superposed thereon. Applicants submit that although the claim language has been clarified in the manner suggested by the Examiner, by the present amendment, the claimed features have not, in fact, been changed.

Turning to Tajima et al, assuming arguendo, that the cathode lines are represented by (3/2), as suggested by the Examiner, and such lines have terminal ends as represented by the connection with the FPC 401-Y, as shown in Fig. 5 of Tajima et al, it is readily apparent that, the frame body (4) while being superposed on the cathode lines (3-2) is not superposed on the cathode line ends which are terminated, as previously recited in claim 6 and the frame body (4) is not superposed on the terminal ends of the cathode lines, as now recited in claim 6. That is, it is apparent from Fig. 5, that whether the cathode lines are represented by (3/2) or (3/1), the terminal ends of such lines extend beyond the frame body (4). Thus, applicants submit that claim 6, as originally presented, and as amended herein, patentably distinguishes over Tajima et al in the sense of 35 USC 102, and should be considered allowable thereover.

In view of the above amendments and remarks, applicants submit that the objections and informalities noted by the Examiner have now been overcome and that all claims present in this application should now be in condition for allowance. Accordingly, issuance of an action of a favorable nature is courteously solicited.

Applicants note that this amendment is submitted at the end of the statutory period for response to the final office action. Although applicants submit that by the present amendment, all claims should now be in condition for allowance, if for some reason, the Examiner considers claim 6 to be rejectable over the cited art, to avoid any question concerning abandonment of this application, applicants hereby appeal

the final rejection of claim 6, and authorize the charging of appeal fees and any other necessary fees, to the deposit account as indicated below. However, applicants request that any charging of the appeal fees be held in abeyance pending a determination of whether or not this application is now in condition for allowance.

Further, to the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 501.43125X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in dark ink, appearing to read 'Melvin Kraus', is written over a horizontal line.

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